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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,031	01/02/2002	Bill B. Williams JR.	W149-001	7077
21567 7590 01/26/2007 WELLS ST. JOHN P.S. 601 W. FIRST AVENUE, SUITE 1300 SPOKANE, WA 99201			EXAMINER WOOD, KIMBERLY T	
			ART UNIT	PAPER NUMBER
			3632	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/038,031	Applicant(s) WILLIAMS, BILL B.	
	Examiner Kimberly T. Wood	Art Unit 3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7, 9-11, 13-19 and 21-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 9-11, 13-19, 21-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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This is an office action for serial number 10/038,031.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-5, 7, 9-11, 13-19, and 21-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker, Jr. et al.

(Baker) 4,723,744 in view of Cramer 2,613,389. The applicant is reminded that the claims are only directed toward the ***subcombination*** of the support and not the combination of the support and camper. Baker discloses a support framework (10) with a camper support surface (52 and 54) and at least three support legs (30) for supporting a camper wherein the support framework is slid underneath the camper and the camper is then lowered onto the camper support surface (52 and 54) of the support framework (10) to support the weight of the camper (see column 4, lines 34ff). Baker discloses all of the limitations of the claimed invention except for the support wheels, a wheel

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lock, a plurality of support wheels being mounted to the support framework under a bias force relative to the support framework such that bias force between the support wheels and the support framework is sufficient to support the support framework when the support framework is not loaded, and the bias force is exceeded by a predetermined weight of a camper placed on the camper support surface of the support framework such that the predetermined weight of the camper is supported by the at least three support legs on a ground surface. Cramer teaches that it is known to have a support comprising a framework (1) having a support surface (10, 12, 11), at least three legs (2 and 3), a wheel lock (25), wheels (14), and the function of the bias force (20) between the wheels and the framework being sufficient to support the framework when the framework is not loaded, and the bias force is exceeded by a predetermined weight of a object placed on the support surface of the framework such that the weight is supported by the three legs on the ground. It would have been obvious to one having ordinary skill in the art to have modified Baker to have included the wheels, wheel locks, and biasing force as taught by Cramer for the purpose of providing a better means of moving the framework underneath the camper. The combination of Baker in view of Cramer inherently teaches the method of claims 32-35 (see Baker, column 4, lines

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34ff and Cramer, column 3, lines 10ff). Baker in view of Cramer disclose all of the limitations of the claimed invention except for the bias force being a pneumatic bias force. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a pneumatic bias force, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice since the applicant has not discloses how this element is critical to the invention. *In re Leshin*, 125 USPQ 416.

Response to Arguments

Applicant's arguments filed November 1, 2006 have been fully considered but they are not persuasive.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed.

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Cir. 1992). In this case, it is within the general knowledge available to one of ordinary skill in the art to modify a support to have wheels for the purpose of providing a better means of sliding the framework underneath the camper. Baker clearly states within the specification in column 4, lines 27 that "The support 10 is then immediately slid along the ground 26 in the direction of arrow 19 underneath and aligned with the bottom of the camper 12", which teaches that the support is moved along the ground or a surface to underneath a camper. It is within the general knowledge of one of ordinary skill in the art that camper supports are slide or moved along the ground using wheels (as taught by Peters 5,395,202) as a better means of sliding the support underneath the camper therefore exerting less energy and saving time.

In response to applicant's argument that Cr mer is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Cramer is reasonably pertinent to the particular problem with which the applicant is concerned and in the field

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of applicant's endeavor since Cramer does involve a wheeled support and is reasonably pertinent to the particular problem with which the applicant is concerned. Cramer disclose that a support (1) when moved along the floor using wheels is placed in the desired location by the user and the weight of the user is placed thereon, the cup members will **engage the floor to prevent slipping of the support when in use**, and when the weight is removed from the support, the spring tensioned wheels engaging the floor will lift the cup member so that the support is readily movable thereover. This problem has been addressed within the prior art of Cramer and is well known in the art of supports which would include ladders, camper supports, or any support used to move the support using wheels therefore being analogous art.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a

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reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

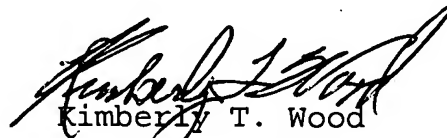
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly T. Wood whose telephone number is 571-272-6826. The examiner can normally be reached on Monday-Thursday 7:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be

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reached on 571-272-6842. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Kimberly T. Wood
Primary Examiner
Art Unit 3632

January 22, 2007